

**MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF  
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM,  
VILLAGE HALL, ON WEDNESDAY, AUGUST 5, 1998.**

**Members Present:** Patrick J. Gilmartin, Chairman  
William Hoffman  
Peter Lilienfield  
Allen Morris  
Patrick Natarelli

**Also Present:** Kevin J. Plunkett, Village Counsel  
Eugene Hughey, Building Inspector  
Florence Costello, Planning Board Clerk  
Thomas Jackson, ECB Chair  
J&L Reporting Service, for Westwood  
Development Associates  
Applicants and other persons mentioned in  
these Minutes  
Members of the Public.

**IPB Matters**

**Considered:** 94-03 -- Westwood Development  
Associates, Inc.

Sht.10,P25J2,25K2;Sht.10C,B1.226,Lots 25A,26A  
Sht. 11, Lots P-25,25J  
98-12 -- Boran Construction  
Sht. 5, Bl.212, Lot 4 & 5  
98-26 -- Spectrum Irvington Corp.  
Sht. 12B, Lot #15  
98-27 -- Spectrum Irvington Corp.  
Sht. 12B, Lot #25  
98-28 -- Spectrum Irvington Corp.  
Sht. 12B, Lot #47  
98-29 -- Spectrum Irvington Corp.  
Sht. 12B. :pt #69  
98-30 -- Michael & Marie Jewell  
Sht. 5, Bl. 209, Lot 11  
98-31 -- Lewis & Nancy Kaplan  
Sht. 13B, P-43,43C,43C2,99  
98-32 -- Steve & Lily Silpe  
Sht. 5, Bl. 208, Lot 28, 30

The Chairman called the meeting to order at 8:00  
p.m.

**Administrative:**

**IPB #97-14:** Mr. D'Alessio submitted, for the Board's signature, "Final Layout of Site Approval" for property at 27 Hamilton Road.

**IPB Matter #98-13:**  
**Kaplan for**

**Application of Lewis & Nancy**

**Waiver of Requirements for Site**

**Development**

**Plan Approval for property at 30**

**Lewis Road.**

Gerald D. Reilly, Esq., appeared for the Applicant. Applicant paid the required application fee and furnished evidence of mailing of required Notice to Affected Property Owners. The proposed development consists of a detached two-car garage. Drawings submitted were prepared by Robert Reilly, Architect, dated March 27, 1998, revised July 15, 1998.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board then determined that the application is for a proposed action which is a Type II action under SEQRA.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require

major site disturbance or removal of trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan approval for this Application.

**IPB Matter #98-32:**  
**Silpe for Waiver of**

**for property at**

**Application of Steve & Lily**  
**Site Development Plan Approval**  
**22 Barney Park.**

Padraic Steinschneider appeared for the Applicant. Applicant paid the required application fee and furnished evidence of mailing of required Notice to Affected Property Owners. The proposed development consists of enclosing the existing rear porch to become a breakfast room; an addition to provide a powder room and family entryway, and a terrace to the north of the proposed addition. The proposed project will add a total of 159 square feet of floor area, a total of approximately 1686 cubic feet of habitable space, and a total of 184.5 square feet of additional impervious area to the use of this property. Drawings submitted were prepared by Gotham Design, Ltd., dated 7/21/98, "Site Plan, A-1.1", "First Floor Plan, A-2.1", "Second Floor Plan, A-2.2", "South Elevation, A-3.1", "Section A-A,B-B,C-C, A-4.1", "Basement Floor Plan, First Floor Plan, E-2.1".

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board then determined that

the application is for a proposed action which is a Type II action under SEQRA.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS.** the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist to make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, the Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE,** the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application.

**IPB Matter #98-30:**  
**Marie Jewell for Site**

**Application of Michael &**  
**Development Plan Approval for**  
**property at**  
**15 North Eckar Street.**

Samuel F. Vieira, Architect, appeared for the Applicant. Applicant paid the required application fee and furnished evidence of mailing of required Notice to

Affected Property Owners. Applicant proposes a two story 16'x20' addition to rear of existing one family residence. Drawings submitted were prepared by SFV Design, Inc., dated 6/29/98, "Basement Foundation Plan", "1st Floor Plan" and "Left Side Elevation".

A call for public comment produced Kristine Hepburn, 11 North Eckar Street, who stated opposition to construction, and Mr. Bronnes, 21 North Eckar Street, stated he would not allow any construction on his property or damage to his fence. Mr. Vieira felt this would make construction impossible. The Chairman advised the building plan be revised. The application was carried over to the September meeting.

**IPB Matter #98-26, #98-27,**

**#98-28 & #98-29:**  
**Irvington Corp., for**

**Application of Spectrum**

**Site Development Plan Approval**

**for Lots #15,**

**#25, #47, and #69, Legend Hollow**

**Subdivision.**

Mr. Craig Studer appeared for the Applicant. Applicant paid application fees and provided Affidavits of Publication and evidence of mailing of required Notice to Affected Property Owners. Mr. Mastromonaco's memos dated August 5, 1998 and Environmental Conservation Board memo dated August 5, 1998 were considered. Mr. Studer advised the Spectrum Irvington Corp. escrow account was being addressed with Mr. Plunkett.

**IPB Matter #98-26:**

**Lot #15**

The Chairman opened the public hearing. Mr. Mastromonaco's concerns on water run-off were addressed in the revised plan. Mrs. Susan Popano's letter dated July 29, 1998 expressed concerns regarding house location. Mrs. Popano and Mr. Studer will discuss tree plantings between the properties. The Board closed the public hearing and took the following action. It approved "Site Plan Lot #15, for Spectrum Irvington Corp., dated July 8, 1998, revised August 3, 1998".

**IPB Matter #98-27:**

**Lot #25**

The Chairman opened the public hearing. E.C.B. concerns on non-disturbance area and adequacy of the proposed 4x4 energy dissipation pad, and Ralph Mastromonaco's comment regarding installation of a guide rail at the cul-de-sac, were discussed. There were no comments from the public. The Board closed the public hearing and took the following action. It approved "Site Plan Lot #25, for Spectrum Irvington Corp., undated, last revised August 3, 1998".

**IPB Matter #98-28:**

**Lot #47**

The Chairman opened the public hearing. Concerns on drains were addressed. There was no response from the public. The Board closed the public hearing and took the following action. It approved "Site Plan Lot #47, for Spectrum Irvington Corp., dated July 8, 1998, revised August 3, 1998".

**IPB Matter #98-29:**

**Lot #69**

The Chairman opened the public hearing. The Environmental Conservation Board was concerned about three trees to be cut to accommodate the construction of a swimming pool. The plan was rejected and tentative approval delayed to the September meeting. The plan did not show the easement of Village drains from street through the property. Discussion on pool drainage and chemicals forthcoming.

**Lot #41**

Considerable discussion ensued on the catch basins, their function and proposed revision. Discussion postponed to the September meeting.

**IPB Matter #94-03:**

**Development Associates,**

**Application of Westwood**

**Plan Approval**

**Road and**

**Inc., for Limited Site Development**

**for property at Broadway, Riverview**

**Mountain Road.**

Messrs. Padraic Steinschneider and Charles Pateman appeared on behalf of the Application. There was much discussion on various aspects of the proposed DEIS. The more salient points were:

- Concerns on the meaning of "stated vision" to the Board. Peter Liebowitz tried to explain his meaning to the Board.
- Tim Miller tried further to explain the history of the problem using design guidelines.
- Chuck Pateman agreed to reword the DEIS to include design guidelines.
- The E.C.B. letter and Mrs. Abrams letter were read into the Minutes.
- Mr. Pateman will make a steep slope presentation in September.
- Discussion of the impact of Tarry Estates and Windsor Estates on the school district were mentioned.
- Discussion on recreation costs vs revenues were topics. Specific amounts as follows: Total Recreation Department budget \$800,000 - \$150,000 for parks upkeep, programs \$700,000, Revenues are \$240,000, \$466,000 deficit School reimburses \$50,000.
- Ms. Hevron of East Irvington Civic Association and a Fieldpoint resident agreed to get census information for the Board. Our concerns are the number of children using the school facilities.
- Discussion on traffic and safety were discussed. Mr. Tischelman was concerned about construction equipment on Tract A & B.
- Mr. Leitzes of Mountain Road wanted to have leaves brought to the leaf facility using Harriman Road, through a paper road.

**IPB Matter #98-12:**

**Construction Corp., for**

**for property**

**Application of Boran**

**Site Development Plan Approval**

**at 76 Main Street.**

Application held over to September meeting.

**Ministerial:**

- Spectrum Irvington Corp., submitted applications for Site Development Plan Approval for Lots 23, 51, 57, and 68, for review and public hearing at the September 2, 1998 Planning Board meeting.
- A site walk is tentatively proposed for August 22, 1998 for Lots 23, 51, 57 and perhaps 41.
- Minutes of the Planning Board held on July 1, 1998, previously distributed, were on motion duly made and seconded, approved.
- The next regular meeting of the Planning Board was scheduled for September 2, 1998.

There being no further business, the meeting was adjourned.

Respectfully submitted,

\_\_\_\_\_  
Allen Morris, Secretary